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HOUSE MEMORIAL 14

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

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A MEMORIAL

REQUESTING THAT CONGRESS REAUTHORIZE THE ABANDONED MINE LAND PROGRAM AND APPROPRIATE MONEY ALREADY COLLECTED IN THE FEDERAL ABANDONED MINE RECLAMATION TRUST FUND.

WHEREAS, New Mexico's long mining history has left an estimated fifteen thousand mine openings that present a health and safety hazard to the public; and

WHEREAS, abandoned mine locations also contain thousands of acres of unreclaimed land and have impacted miles of streams; and

WHEREAS, congress, in 1977, authorized states to develop abandoned mine land reclamation programs and provided funding for the state programs through a fee on coal production; and

WHEREAS, New Mexico, through the mining and minerals division of the energy, minerals and natural resources

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1 department, has had a successful abandoned mine land program
2 for almost twenty-five years; and

3 WHEREAS, New Mexico's program has closed over two thousand
4 mine openings and has won national awards for its projects at
5 Cerrillos hills in 2004, Sugarite state park in 2002 and
6 Socorro west in 1999; and

7 WHEREAS, abandoned mine land construction projects provide
8 contracts for New Mexico firms and jobs for New Mexico workers;
9 and

10 WHEREAS, New Mexico is the nation's twelfth largest coal-
11 producing state, and New Mexico coal producers have paid an
12 average of over five million dollars (\$5,000,000) a year in
13 fees over the past five years; and

14 WHEREAS, the fees collected are placed in the federal
15 abandoned mine reclamation trust fund, and one-half the fees
16 are allocated to the state where the fees were collected; and

17 WHEREAS, there is now a balance of more than one billion
18 six hundred million dollars (\$1,600,000,000) in the trust fund
19 that has been collected from coal producers but not
20 appropriated by congress, and New Mexico's state share balance
21 is over twenty million dollars (\$20,000,000); and

22 WHEREAS, New Mexico's program receives approximately one
23 million eight hundred thousand dollars (\$1,800,000) a year in
24 federal grants; and

25 WHEREAS, the abandoned mine land fee was scheduled to

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1 expire on September 30, 2004, and when congress failed to agree
2 on legislation to reauthorize the fee, the fee was extended
3 until June 30, 2005; and

4 WHEREAS, reauthorization of the fee would allow New Mexico
5 to continue its important work in safeguarding hazardous mine
6 openings and reclaiming areas disturbed by abandoned mines; and

7 WHEREAS, New Mexico has been working with the national
8 governors' association, the western governors' association, the
9 interstate mining compact commission, Indian tribes and other
10 states to urge congress to pass legislation to reauthorize the
11 abandoned mine land fee; and

12 WHEREAS, the western governors' association adopted a
13 resolution last June supporting the reauthorization of the fee
14 and the return of the state share balances to the states;

15 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
16 REPRESENTATIVES OF THE STATE OF NEW MEXICO that congress be
17 requested to pass legislation to reauthorize the abandoned mine
18 land reclamation fee and also to provide for the return of the
19 unappropriated state share balances of the abandoned mine
20 reclamation trust fund to the states; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to members of the New Mexico congressional
23 delegation.